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15 Attorney for Plaintiff Edgardo Seminiano

16 UNITED STATES DISTRICT COURT  
17 CENTRAL DISTRICT OF CALIFORNIA

18 EDGARDO SEMINIANO,  
19 Plaintiff,

20 vs.

21 XYRIS ENTERPRISE, INC.;  
22 ATKINSON CARE HOME;  
23 MUQUET DADABHOY; AND  
24 TERESITA CASTANEDA,

25 Defendants.

FILE NO: CV 10-01673-JST (JEMx)

NOTICE OF APPLICATION TO THE  
CLERK TO TAX COSTS;  
DECLARATION OF DENNIS W.  
RIHN

DATE: FEBRUARY 11, 2011  
TIME: 2:00 P.M.  
LOCATION: ROOM 1-053

JUDGE: HONORABLE JOSEPHINE  
STATON TUCKER

1 TO THE CLERK OF THE COURT, ALL PARTIES AND THEIR  
2 ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE THAT on February 11, 2011, at 2:00 p.m.. in Room  
4 1-053 of the above-captioned Court, located at 411 West Fourth Street, Santa Ana,  
5 CA 92701, Plaintiff Edgardo Seminiano and his counsel will apply, and hereby do  
6 apply, to the Clerk of the Court to tax costs as set forth in the accompanying proposed  
7 Bill of Costs.

8 This application is made pursuant to Rule 54 of the Federal Rules of Civil  
9 Procedure, and Local Rule 54, on the ground that, as indicated in the judgment  
10 entered on January 18, 2011, Plaintiff Edgardo Seminiano is the prevailing party and  
11 his counsel are entitled to recover costs of suit. The application is based upon this  
12 notice, the attached declaration, the attached proposed Bill of Costs, and the entire  
13 court file in this action.

14  
15 Date: January 25, 2011

LAW OFFICES OF DENNIS W. RIHN

16  
17 By: \_\_\_\_\_



18 DENNIS W. RIHN, ATTORNEY FOR  
19 PLAINTIFF EDGARDO SEMINIANO  
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**DECLARATION OF DENNIS W. RIHN**

I, Dennis W. Rihn, declare as follows:

1. I am an attorney at law licensed to practice before this Court and all the courts of the State of California. I have personal knowledge of the matters set forth in this declaration. If called and sworn as a witness, I could and would competently testify to everything in this declaration. I make this declaration in support of the instant notice of application for the Court's clerk to tax costs.

2. The document attached hereto as Exhibit 1 is a true and correct copy of Plaintiff's proposed Bill of Costs. The items claimed as costs were actually and necessarily incurred in the prosecution of this case and the services for which fees have been charged were actually and necessarily performed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed in Pasadena, California, on January 25, 2011.



DENNIS W. RIHN